



DAE cc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2010 JUL 21 PM 4:09

I hereby certify that this submitted via first class mail in an envelope addressed to the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2010.

RECEIVED

Trudi Thompson

JUL 23 2010

Trudi Thompson

OFFICE OF PETITIONS

Inventor : Schroers, et al. Confirmation No. 2783
Patent No. : 7,621,314
Issued : November 24, 2009
Title : METHOD OF MANUFACTURING AMORPHOUS METALLIC FOAM
Docket No. : L2:00429

SUBMISSION OF DEFICIENCY PAYMENT UNDER 37 C.F.R. §1.28(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

2875 Michelle Drive, Suite 110
Irvine, CA 92606
July 14, 2010

Commissioner:

Pursuant to 37 C.F.R. §1.28(c), this paper is respectfully submitted for the deficiency payment for the above-referenced patent. During prosecution the issue fee was paid as a small entity in good faith; however subsequently it was determined that, in error and without any deceptive intent, a Notification of Loss of Small entity Status under 37 CFR§1.27(g) should have been filed. Pursuant to §1.28(c)(2), the table below sets forth the type of fee paid, the date and amount of the payment made, and the deficiency owed.

07/22/2010 DALLEN 00000012 10542438

01 FC:1461

755.00 OP

JUL 23 2010

OFFICE OF PETITIONS

Type of Fee	Current Fee Amount (For a Non-Small Entity)	Small Entity Fee Paid	Date Paid	Deficiency Owed Amount	Total Deficiency Payment Owed
Utility Application Issue Fee	\$1510	\$755	10/14/2009	\$755	\$755

Additionally, pursuant to 37 C.F.R. §1.28(c)(2), the payment of \$755 is being made via credit card herewith to cover the deficiency payment itemized below. The Director is also hereby authorized to charge any deficiency in the payment and any associated processing fee or credit any overpayment to Deposit Account No. 50-4407. Please show our docket number with any transaction to the Deposit Account.

Respectfully submitted,

KAUTH, POMEROY, PECK & BAILEY LLP

By



John W. Peck
Registration No. 44,284
949.852.0000

JWP/t